

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
DIVISION

DAQUAN BROWN  
(Enter Above the Name of the Plaintiff in this Action)

1:24-cv-00316  
J. McFarland  
M.J. Bowman

vs.

Cincinnati Police Dept. (District 3)  
(Enter above the name of the Defendant in this Action)

If there are additional Defendants, please list them:

Jacob Hicks, Jeffrey Wiczorkowski, Emily Ward  
ELSAESSER-21313, Christopher Wermuth, Dustin Peet  
Michael Miller, P361, Douglass White, Arron Roach  
Justin Gottman, Millenium Tower

COMPLAINT

I. Parties to the action:

Plaintiff: Place your name and address on the lines below. The address you give must be the address where the court may contact you and mail documents to you. A telephone number is required.

DAQUAN BROWN  
Name - Full Name Please - PRINT  
277 Fairbanks Ave #24  
Street Address  
Cincinnati, OHIO 45204  
City, State and Zip Code  
513-405-1543  
Telephone Number

If there are additional Plaintiffs in this suit, a separate piece of paper should be attached immediately behind this page with their full names, addresses and telephone numbers. If there are no other Plaintiffs, continue with this form.

Defendant(s):

Place the name and address of each Defendant you listed in the caption on the first page of this Complaint. This form is invalid unless each Defendant appears with full address for proper service.

1. Cincinnati Police Dept, District 3  
Name - Full Name Please  
2300 Ferguson RD Cincinnati, OH 45228  
Address: Street, City, State and Zip Code
2. Jacob Hicks, Jeffrey Wicczorkowski  
Emily Ward, Dustin Peet, ELSAESSER 21313
3. Christopher Wermuth, Michael Miller  
Douglass White, Aaron Roach, Justin
4. Gottman
5. \_\_\_\_\_
6. \_\_\_\_\_

If there are additional Defendants, please list their names and addresses on a separate sheet of paper.

## II. Subject Matter Jurisdiction

Check the box or boxes that describes your lawsuit:

- ☒ Title 28 U.S.C. § 1343(3)  
[A civil rights lawsuit alleging that Defendant(s) acting under color of State law, deprived you of a right secured by federal law or the Constitution.]
- ☐ Title 28 U.S.C. § 1331  
[A lawsuit "arising under the Constitution, laws, or treaties of the United States."]
- ☐ Title 28 U.S.C. § 1332(a)(1)  
[A lawsuit between citizens of different states where the matter in controversy exceeds \$75,000.]
- ☒ Title 42 United States Code, Section 1983  
[Other federal status giving the court subject matter jurisdiction.]

III. Statement of Claim

Please write as briefly as possible the facts of your case. Describe how each Defendant is involved. Include the name of all persons involved, give dates and places.

Number each claim separately. Use as much space as you need. You are not limited to the papers we give you. Attach extra sheets that deal with your statement claim immediately behind this piece of paper.

Please see attachment

IV. Previous lawsuits:

If you have been a Plaintiff in a lawsuit, for each lawsuit state the case number and caption.  
(Example, Case Number: 2:08-cv-728 and Caption: John Smith vs. Jane Doe).

<u>Case Number</u>	<u>Caption</u>	
_____	_____	vs. _____
_____	_____	vs. _____
_____	_____	vs. _____

V. Relief

In this section please state (write) briefly exactly what you want the court to do for you. Make no legal argument, cite no case or statutes.

WE want the court to order CPD to terminate the officers involved, make policy changes, award damages for intentionally causing severe distress, remove negative file CPD hold, drop charges/remove probation, order stay away order.

Respectfully submitted

Daquan Brown (Daquan Brown)

I state under penalty of perjury that the foregoing is true and correct. Executed on

this 23 day of May, 2024.

Signature of Plaintiff

## Background Facts

- 1) On January 8, 2024. The CPD responded to a 911, domestic Violence call. When CPD officials Emily Ward, (CAUCASIAN), Dustin Peet (CAUCASIAN) and Christopher Wermuth (CAUCASIAN), arrived on Eatorndale site. CPD officials did not request to see their allege victim Kayla Gill (African American) identification card, nor her least agreement, before unlawfully assisting her into my brother Romero Tyler (African American) home. Ms. Gill had told CPD officials that my brother was not in his home and had just wanted her belongings. CPD officials began escorting Ms. Gill to my brother home. I Da'Quan Brown (African American), then tell CPD officials that Ms. Gill was not on least holder and could not give anyone consent to escort her into my brother home. CPD officials did not stop to verify Ms. Gill least agreement, nor did any of the CPD officials request any proof of documentation. CPD officials proceeded to force their entry. I then began exercising the 4<sup>th</sup> Amendment, and expressing the meaning of the U.S.C protected rights. After exercising and expressing the U.S.C protected right. CPD official, Christopher Wermuth became angry and unlawfully removed me from my brother home. After Mr. Wermuth removed me from the home, he did not detain me nor arrest me. CPD officials allowed me to leave. Later on CPD officials learn from Ms Gill mother of the open warrants i had. CPD official filed an obstructing official business charge against me.

## Section 2921-31

(A) No person, without privilege to do so and with purpose to prevent, obstruct's official Capacity, shall do any act that hampers or impedes a public official in the performance of the public officials law duties.

(B) Whoever violates this section is guilty of obstruction official business. Except as otherwise provided in this division obstructing official business is a misdemeanor of the second degree. If a Violation of this section creates a risk of physical harm to any person, obstructing official business is a felony of the fifth degree.

- 2) CPD official, Christopher Wermuth Complaint States that his Complaint is based on [A knowingly stood in doorway during a active Domestic Violence investigation] This is untrue. I had initially stood in the doorway because CPD officials were acting under color of law, interfering with protected rights.
- 3) The fourth Amendment prohibits Unreasonable Searches and seizures and sets requirement for issuing warrant: Warrant must be issued by a judge or magistrate, justified by probable cause, supported by oath or affirmation, and must particularly describe the place to be searched and the person or things to be Seized.
- 4) On January 8, 2024. The CPD failed to properly investigate their allege investigation.

- 5) The 911 call did not come from inside my brother home, nor did anyone inside the home request CPD assistance.
- 6) Before CPD officials escorted Ms Gill to my brother apartment, Ms Gill told officials that my brother wasn't home and just wanted her belongings.
- 7) Before CPD official, Christopher Wermuth responded to my 4<sup>th</sup> Amendment expression, I had offered to help assist Ms. Gill with receiving her belongings, because my brother had left me to care for his home while he was away.
- 8) CPD officials failed to do a civil-stand-by. Court would also consider Ms. Gill request as a civil matter.
- 9) Later on, CPD officials also charged my brother with assault and domestic violence; in April, 2024, his charges were dismissed.
- 10) On January 9, 2024, I filed a complaint against CPD officials their misconduct and excessive force. After filling my complaint with the Internal Affairs, the CPD placed me under Federal investigation and began having CPD officials spy on me at work.
- 11) In January 2024, CPD officials from district 4 (CPD) came to my work-site (5400 Bettman), and began harassing me. CPD officials ordered that I come outside and talk to them. CPD officials had no merit for removing me from the home and questioning me.



- 12) CPD officials began asking for my identification and about my employment with CMHA. After CPD officials began questioning just me and not my staff. I decided to call Findlay Garden property manager Thomas Ambush (African American) while on the phone with Mr. Ambush. CPD officials began questioning Mr. Ambush about my employment. CPD also reported to the property manager, they received a loud noise complaint. This is untrue. No loud noise complaint existed.
- 13) In January 2024, CPD deployed two officials from district 4 (CPD) to spy on me while working at 24 Top Ridge. When CPD officials arrived at the center of 24 Top Ridge, CPD officials continually asked my staff if they had called the police until officials made contact with me. After CPD officials made contact with me, the male officer then goes behind their SUV and tamper with his body camera, while the female officer assist.
- 14) In February, 2024, Internal Affairs investigator Joseph Vesper contacted me regarding my complaint against the CPD. While discussing my complaint with Mr. Vesper, Mr. Vesper recognize CPD pattern of harassment. However at the time of me and Mr. Vesper phone call, the CPD and ATF responded to this complaint by escalating their harassment.
- 15) In March, 2024 The CPD began allowing their informants to also track and harass me. CPD also began having Eatondale CR UC employees, ask children they suspected sold drugs for me, for coke. After targeting those children CPD and the ATF had informants go into cars with those children; the informant had told one of the children that



- 16) his finger print came back on the car. CPD later found probable cause to question those children. After questioning one of those children. The CPD and ATF learned from (X) that i was not the reasoning for his behavior. CPD and ATF also found that i was not the kind of person that they suspected me to be.
- 17) In March, 2024. The CPD had officers and ATF agents impose as kidnappers. In March, 2024, A silver nissan, black nissan and dark blue SAAB pulls in my mother property at high speed. The dark blue SAAB (ATF agent) comes in fast with the trunk open, gets out his vehicle and began walking towards me with one hand in his pocket and the other hand reaching for me. As i began to back up, the black nissan starts closing in on me. The silver nissan goes out the other side of the parking lot and yell out "Yall going to jail for Aggravated Robbery". I then pull out my phone and tell the man get back. After pulling my phone out, the man changed his moto and began asking for help.
- 18) In March, 2024. The CPD began having informants target me while going out for drinks. In March, 2024, While visiting the drinkery bar, (Downtown Cincinnati) More than seven people was let in from the backdoor of the bar; CPD and the ATF had known i was at that bar because of their illegal tracking. After CPD informants got in the bar, the informants began giving me dirty gestures, bumping into me and following me around the bar. When the bar closed several people with ski mask on, and their hands in their jacket pocket, was waiting outside. Once i got outside those men began giving me dirty gestures and taunting me.

- 19) After making sexual complaints against the CPD, the CPD and ATF escalated their harassment and began intimidating me and my brother. CPD officials also began willfully depriving me and my brother of our protected rights and privileges.
- 20) In April, 2024 The CPD would violate my brother 4<sup>th</sup> Amendment and burst in his home without a warrant. CPD continually violated me and my brother 4<sup>th</sup> Amendment. Several times CPD officials would violate my brother 4<sup>th</sup> Amendment and continually enter his home without a warrant or probable cause.
- 21) In April, 2024. The CPD and ATF began using traffic lights and street lights to capture pictures. On several occasions the CPD and ATF would violate friends and family 4<sup>th</sup> Amendment and record from their cameras. CPD and the ATF would also tap into their phone calls and pick up voice recognition.
- 22) In May 2024, The CPD along with Mullins towing stole me and my brother food truck and refuse to locate and return it. In May, 2024, CPD official ELSAESSER violated Section 2305.111(battery) and put his hand on me and my brother. CPD continually tried finding reason to arrest and harm us. Prior to CPD escalating their harassment official P361, reached for his gun and lifted it. As I confronted official P361, official realize he was on video and tried say he was fixing his belt. CPD official ELSAESSER, later charged my brother with obstructing of official business. CPD official covered up his section 2305.111 violation.
- 23) In May, 2024. The CPD and ATF still willfully deprive me and my brother protected rights.

Edit - Add on

In January, 2024 CPD officials Christopher Wermuth, Dustin Peet and Emily Ward willfully deprive me and my brother of our protected rights. After depriving us of our rights, I filed a complaint against CPD for excessive force and police misconduct. After filing my complaint with Internal Affairs, CPD escalated their harassment and began targeting me and my family for alleged crimes suggested by the CPD. CPD began having their helpers follow us, while taunting and recording us. CPD also allowed others to track and harass us through our car gps, radio and phone gps. After CPD escalated their harassment, multiple complaints against the CPD were filed. After filing multiple complaints against CPD, CPD placed me, my brother, family, child mother and others under Federal investigation. CPD began having others willfully deprive us of our protected rights and privileges. CPD also started having people intentionally harass us to get reactions out of us. During CPD harassment, CPD and Federal agents would also use radios to record lyrics from songs playing on radio [Pandora, YouTube] auto pick. The radios would begin to tune out and static on certain songs. Also would remove bass. During CPD harassment, informants would continually ask for drugs and guns, helpers would continually taunt us and companies that would help CPD, would continually help deprive us of our protected rights and privileges.



## Retaliation

24) This law also prohibit an employer from retaliating against any person because that person has opposed an unlawful discriminatory practice, made a complaint testified or assisted in any investigation, proceeding or hearing under this law. The action of harming someone because they have harmed oneself: Revenge a blackletter constitutional violation. (Section 1983 - right is actionable even if the act, when taken for a different reason, would have been proper)

25) In January, 2024 I filed a complaint with the Internal Affairs, against the CPD for excessive force and police misconduct. In February, 2024, Internal Affairs investigator, Joseph Vesper, contacted me; While discussing my complaint against the CPD, Mr. Vesper also recognize CPD pattern of harassment. However, at the time of me and Mr. Vesper phone call, the CPD and ATF were violating my 4<sup>th</sup> Amendment and monitoring our phone call. The CPD responded to my complaint. CPD escalated their harassment and placed me under "Federal Investigation". CPD also altered and removed evidence, interfered with my business relationship with CMHA (Gov. contract, exceeding \$500,000) ruined my reputation, intimidated me, threaten the life of me, my children, my brother and my family. CPD and the ATF also had informants vandalize my vehicle. CPD officials along with Hamilton County clerk of courts willfully deprive me of my rights and privilege protected by the constitution. The CPD intentionally caused severe emotional distress, ~~trauma~~ trauma and bodily harm. The CPD along with ATF humiliated me and made my life difficult to enjoy. After CPD and ATF hacked my

27) devices, the CPD and ATF tampered with evidence, my financial accounts and began changing my logins to my business accounts. The CPD and ATF also tampered with my medical files on my devices and began using my mental health against me. CPD also allowed their informants to harass me while spying on me. The CPD and ATF also targeted people around me, after violating my 4<sup>th</sup> Amendment and theirs. They would also force organizations, along with people who would help me against me. After forcing people to go against me, CPD and the ATF began having the health dept. City of Cincinnati, Hamilton County clerk of court, Hamilton county Sheriff, Millimum Towing, Radiant Property Management, Eatondale CR LLC, ATF and CPD officials harass me and my brother and willfully deprive me of my rights and privileges protected by the Constitution, along with my brothers.

28) In 2021, 2022 I filed multiple complaints against CPD official after numerous incidents with CPD officers I alleged in my complaints that the CPD had pulled me over without probable cause and drew their gun on me. The CPD along with "Gang Unit" also searched my vehicle without probable cause. I also alleged CPD and "gang unit" came onto Eatondale site without a warrant (Mother property) and would watch me work.

29) In March, 2022 The Cincinnati Police Department, responded to those complaints. On or about March 16, 2022. Sergeant Jacob Hicks, Officer Jeffrey Wicczonkowski and another official from CPD "Gang Unit" held a private meeting with my formal regional Manager Johnathon Ureer and formal supervisor, Marnica Ward, at CPD(?)

29) CPD initial reasoning for meeting with Eatondale was for problem addressing. While there, CPD officials began asking managers about my employment with Eatondale. CPD officials also suggested that Eatondale should look into my criminal history and alleged that I was dealing drugs on Eatondale property. CPD officials also told Eatondale manager that I had gone to the Internal Affairs and prevented CPD officials from coming onto Eatondale property without a right of entry. This is untrue. I had initially approached CPD official Lieutenant Schofield, regarding harassment and my claims against the CPD. After CPD officials spoke bad on me, former Manager Ms. Ward, got up and left their meeting. Later on, CPD officials report to Eatondale manager that Ms. Ward was conspiring with me. This is untrue. No conspiracy took place that I was part in. CPD officers requested videos of me working at Eatondale property as well as a right of entry "update" for CPD officials. (New owners) Eatondale granted both of these requests and demoted me and stripped me of many of my abilities, to fulfill my duties. Abilities such as making inventory purchases, communicating with tenants and fulfilling important "City Violations". Eatondale CE LLC, slowly reduced my hours, shrank me of my pay and eventually terminated my employment on August 4, 2022.

## Tortious Interference With A Business Relationship

- 30) It is Unlawful to intentionally or improperly interfere with someone's prospective business relationship. Occur when a third party or another individual or entity with outside influence interfere with an inform relationship (Section 3746, 24)
- 31) In March, 2022. CPD officials Sergeant Jacob Hicks and officer Jeffrey Wiczorkowski responded to my complaints against CPD officials. On or about March 16, 2022. CPD officials improperly interfered with my business relationship with Eatondale and contributed to my ultimate termination on August 9, 2022.
- 32) In January, 2024. The CPD began intentionally interfering with my business relationship with CMHA. In March, 2024. The CPD improperly interfered with my business relationship with CMHA, causing breach of contract. After causing breach of contract, the CPD and ATF caused (influenced) CMHA to stop giving my company work. CMHA kept my company as a vendor but stop giving my company work. CPD had known of my 2022 claims against them and me bringing another tortious interference with a business relationship claim. CPD along with the ATF covered their tracks. CPD, CPD informants and the ATF would follow me to job sites, and watch me work. ATF would also go behind my work. After the CPD and ATF spread on me, CMHA began questioning me, going behind my work and having employees spy on me. After CMHA stop giving me work, the CPD and ATF began having people humiliate me of having no job anymore.



## False Arrest In Fourth Amendment

33) Unlawful restraint of a person's freedom of movement. Holds person without consent and legal justification (Section 2743.48 - Wrongful imprisonment civil action). False arrest also known as unlawful or wrongful arrest is a common law tort. The 4<sup>th</sup> Amendment gives you the right to be free from unreasonable searches and seizures (Section 1983 also provides an individual the right to sue state government employees and other acting under color of state law for civil rights violations).

(Paragraph 1-10)

(Paragraph 22)

34) All CPD officials were acting under color of state law.

35) At the time of CPD officials acting under color of state law and violating my 4<sup>th</sup> Amendment, CPD officials were not aware of my warrants I had.

36) The fourth amendment prohibits unreasonable searches and seizures and sets requirements for issuing warrants: Warrant must be issued by a judge or magistrate, justified by probable cause, supported by oath or affirmation, and must particularly describe the place to be searched and the person or thing to be seized.

The CPD violated me and my brother 4<sup>th</sup> Amendment (Section 2743.48) (Section 1983)

## Excessive Force In Fourth Amendment

37) Fourth Amendment forbids unreasonable searches and seizures by law enforcement (Section 1983 - Claim against the officer and potentially their employer) The above law also prohibits officers from using excessive force when arresting someone. Officers violates person's Constitutional right to be free from excessive force by the officer in attempting to question or arrest a suspect.

(Paragraph 1-10)

38) The 4<sup>th</sup> Amendment prohibit unreasonable searches and seizures and set requirement for issuing warrant: Warrant must be issued by a judge or magistrate, justified by probable cause, supported by oath, affirmation, and must particularly describe the place to be searched and the person or thing to be seized.

39) CPD official Christopher Wermuth used force and unlawfully removed me from my brother's home and caused physical injuries and triggered my PTSD.

CPD official violated (Section 1983)

## First Amendment Violation

40) First Amendment prevent the government from making law respecting an establishment or religion: prohibiting the free exercise of religion; or abridging the freedom of speech the freedom of the press, the freedom of assembly, or the right to petition the government for redress of grievance

(Paragraph 1-10)

41) CPD official, Christopher Wermuth Violated my first amendment,

42) CPD official, Christopher Wermuth willfully deprive me of my constitutional rights, acting under color of law.

## Failure to intervene with excessive force

- 43) Officers are required to intervene to prevent or stop the unlawful excessive use of force by a fellow officer. Failure to report is punishable as a class 2 misdemeanor and failure to intervene is punishable as a class 1 misdemeanor. Officers are obligated to uphold the law and protect individuals from constitutional rights. (Section 19.2 - 83.6 - Failure of a law enforcement officer to intervene in use of excessive force)
- 44) CPD officials, Emily Ward and Dustin Peet, failed to intervene with excessive force.
- 45) CPD officials, Emily Ward, and Dustin Peet failed to intervene with excessive force and observed officer Christopher Warmuth unlawfully snatching me out my brother home, while using force.
- 46) CPD officials, Emily Ward, Dustin Peet and Christopher Warmuth were acting under color of law.

## Intentional Infliction Of Emotional Distress

47) When a person through extreme or outrageous behavior intentionally causes severe emotional distress mental trauma and/or bodily harm to another. (Section 2307.70 - Civil action for damages for damages for vandalism, desecration or ethnic intimidation) (Section 2305.11 Libel, slander, malicious prosecution, false imprisonment) (Section 2305.111 Assault or battery) (Section 2305.10 (A) - Section 1983 actions)

48) All defendants actions were extreme and outrageous

All defendants actions caused me to suffer and i continue to suffer.

49) In January, 2024 CPD Official Christopher Wermuth intentionally violated section 2305.111. In May, 2024 CPD official Elscasser intentionally violated section 2305.111. In 2022, 2024, CPD Official Jacob Hicks along with CPD and RTA violated (intentionally) section 2305.11. In 2022, 2024, Official Jacob Hick, Jeffrey Wiczorkausk along with CPD intentionally violated section 2305.10. In 2024 ~~all defendants~~, all defendants worked together and help violate Section 2307.70 (intentionally)

# Racial Profiling

50) 42 USC 1983 prohibits government officials acting under color of state or local law from violating the constitution rights of individuals. The 14<sup>th</sup> Amendment to the USC prohibits discrimination on the basis of race ethnicity, religion, or national origin (section 1983 provides an individual the right to sue state gov. employers and other acting under color state law for civil rights violations.

51) The CPD and ATF harassed me and continually discriminated against me on the basis of my race, gender, character and numerous interaction with CPD

52) The CPD and ATF continually harassed me and my brother and targeted us after i filed a excessive force complaint against CPD officials.

53) CPD and the ATF willfully deprive me and my brother of our protected rights and privileges and continually harass us.

## Punitive Damages

54) Damages assessed to punish the defendants for outrage conduct and /or to reform or deter the defendant and other from engaging in conduct similar to that which formed the basis of the lawsuit. (Section 1983 - Detering and punishing violating of constitutional rights)

55) All defendants actions was outrageous

56) All defendants actions caused me and my brother to suffer and we continue to suffer.

57) All defendants were acting under color of law



## Excessive Force and Retaliation in 1st Amendment

58) First Amendment prevent the government from making law respecting an establishment of religion: Prohibiting the free exercise of religion or abridging the freedom of Speech, the freedom of the press, the freedom of assembly or the right to petition the government for redress of grievance.

(Paragraph 1-10)

59) Each officer is trained when to use force. To use force, subject must be a threat to official or to the Public.

60) I was not a threat to official or, the public; Official Christopher Wermuth unlawfully removed me from my brother home. Official Christopher Wermuth used force and retaliated against me for the expression of my 4<sup>th</sup> amendment (protected speech) CPD Official used force and violated my First amendment

## Discrimination 42 U.S.C 1983

- 61) 42 U.S.C. § 1983 prohibits government officials acting under color of state or local law from violating the constitutional rights of individuals. The 14<sup>th</sup> Amendment to the United States Constitution prohibits discrimination on the basis of race, color, national origin, gender, or sexual orientation.
- 62) The CPD continually harass and unlawfully discriminated against me on the basis of my race, gender and the numerous interaction with them.
- 63) On January 3 2024 CPD officials, Dustin Pect, Emily Ward and Christopher Wermuth unlawfully escorted their allege victim into my brother home, despite there being a valid reason, nor did CPD officials verify their allege victim least agreement or identification before assisting their allege victim into the home.
- 64) CPD officials had known that their allege victim could not give CPD consent to be escorted in the home. CPD officials were acting under color of law. CPD did not treat their allege victim as African American woman similarly, nor make her suffer similarly. CPD officials continually harassed me and discriminated against me and escalated their harassment after I filed my excessive force complaint.

65) In March, 2022. CPD officials, Jacob Hicks (caucasian) and Jeffrey Wiczorkowski (caucasian) unlawfully discriminated against me on the basis of my race in ~~my~~ numerous interaction with CPD. CPD officials reported Marnica Ward, an (African American) formal employee, to her formal Supervisor Johnathan Unger (caucasian) for allegedly conspiring with me, despite there being no basis for this allegation, nor any conspiracy that i took part in. CPD also allege to Mr Ward and Mr. Unger, my formal supervisors that i was allegedly dealing drug on Eatondale site. This is untrue. CPD officials did not treat caucasian employees similarly, nor make similar accusation. CPD officials continually harassed me and discriminated against me, and escalated their harassment after i filed a harassment complaint.

## Tampering With evidence

### 66) Section 2921.12 | Tampering with evidence

(A) No person, knowing that an official proceeding or investigation is in progress, or is about to be or likely to be instituted, shall do any of the following:

(1) Alter, destroy, conceal, or remove any record, document, or thing, with purpose to impair its value or availability as evidence in such proceeding or investigation;

(2) Make, present, or use any record, document, or thing, knowing it to be false and with purpose to mislead a public official who is or may be engaged in such proceeding or investigation, or with purpose to corrupt the outcome of any such proceeding or investigation.

(B) Whoever violates this Section is guilty of tampering with evidence, a felony of the third degree.

67) In 2021, 2022, I filed multiple complaints against CPD officials after numerous incidents with CPD officers. I alleged in my complaints that the CPD had pulled me over without probable cause and draw their gun on me. The CPD along with "Gang Unit" also searched my vehicle without probable cause. I also alleged CPD and "Gang Unit" came into Eastdale site without a warrant (mother property) and would watch me work.

68) In March, 2022, CPD officers improperly interfered with my business relationship with Eastdale and contributed to my ultimate termination on August 4, 2022.

- 69) In December, 2022, I filed a charge with the EEOC, against Eatondale CR LLC, for unlawfully terminating my employment on August 4, 2022.
- 70) The CPD also received notice of claims.
- 71) As of May, 2024, The charge against Eatondale CR LLC is active and under investigation.
- 72) In January, 2024, I filed a complaint against CPD officials for excessive force and police misconduct.
- 73) On or about March 20, 2024, The CPD hacked my devices and knowingly altered and removed evidence. CPD also removed evidence from their body cam.
- 74) The evidence removed rise false arrest, civil rights violations and battery - Section 2305.111 violation.

## Fourth Amendment Violation

75) Fourth Amendment prohibits unreasonable searches and seizures and set requirement for issuing warrants: Warrant must be issued by a judge or magistrate justified by probable cause, supported by oath or affirmation, and must particularly describe the place to be searched and the person or thing to be seized.

76) (Paragraph 1-23)

77) In January, 2024, I filed a complaint against the CPD for excessive force and police misconduct. CPD responded to this complaint and placed me under 'Federal Investigation'. ATF along with CPD hacked my cell devices, car, home electronics, and began listening to my phone calls and conversations. After hacking my phone the ATF and CPD altered and removed evidence.

78) After filing multiple complaints with Internal Affairs, CPD and ATF escalated their harassment and began violating friend and family 4th amendment to watch me, capture picture of me and listen to my conversations.



# Deprivation

- 79) Section 242 of title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution (Section 2421.45 - Interfering with civil rights)
- 80) ( Paragraph 1-23 )
- 81) The CPD along with officials and their helps willfully deprive me and my brother of our protected rights and privileges.
- 82) All defendants were acting under color of law, willfully depriving us.



### Section 2903.211.

Menacing by stalking (A)(1)  
No person by engaging in a  
pattern of conduct shall  
knowingly cause another person  
to believe that the offender  
will cause physical harm to the  
other person or a family  
member of the other person.

The elements of menacing  
by stalking R.C. 2903.211, are:  
(1) by engaging in a pattern  
of conduct (2) to knowingly, (3)  
cause another to believe that  
the offender would cause physical  
harm to the other person or  
cause mental distress to other  
person.

(1) Pattern of conduct means  
two or more actions or incidents  
closely related in time, whether or  
not there has been a prior  
conviction based on any of those  
actions or incidents.

The CPD intentionally violated section 2903.211

CPD officials pattern of conduct (Harassment), (Intimidation), (Section 1983 violations) has caused me physical harm; also has caused me to believe that me, my children, brothers, sisters, mother, grandmother, children's mothers, and families life is in danger.

On January 2, 2024 Christopher Wermuth, Emily Ward and Dustin Peet intentionally violated Section 242. (Deprivation)

On January 3, 2024, Christopher Wermuth intentionally violated Section 2305.111 (Battery)

On January 3, 2024, Christopher Wermuth intentionally violated Section 1983 (Excessive force in fourth amendment)

On January 8, 2024. Christopher Wermuth Emily Ward and Dustin Peet intentionally violated Section 1983 (Fourth Amendment, Discrimination)

On or about March 20, 2024, the CPD intentionally violated Section 1983 (Fourth Amendment) Section 2921.12 (Tampering with evidence)

In March, 2024, the CPD intentionally violated Section 1983 (Discrimination 42 U.S.C. 1983) [Austin Peak]

In April 2024 the CPD intentionally violated Section 1983 (Fourth Amendment)

On May 10, 2024 the CPD intentionally violated Section 1983 (Excessive Force in Fourth Amendment)

On May 10, 2024 the CPD intentionally violated Section 1983, Section 242, Section 2305.111, Section 2307.70. (False Arrest, Discrimination 42 U.S.C. 1983, Fourth Amendment, Deprivation, Battery x2, Vandalism, Ethnic Intimidation) (Battery - ELSAESSER)

On January 8, 2024 Christopher Wermuth intentionally violated Section 1983 (False arrest)

In March 2022 Jeffrey Wiczorkowski and Jacob Hicks intentionally violated Section 3746.24 (Tortious Interference)

In January 2024 the CPD intentionally violated Section 3746.24 (Tortious Interference)

In March 2024 the CPD intentionally violated Section 3796.24 (Tortious Interference)

In March 2024 the CPD intentionally violated section 2305.11 (Intimidation) (Kidnapping)

Under 18 U.S.C 875(c), it is a Federal Crime, Punishable by up to five year in prison a fine of up to \$250,000, to transmit any communication in interstate or foreign commerce containing a threat to injure the person of another.

The CPD intentionally violated 18 U.S.C 875(c)

Dustin Pect and other CPD officials had ATF agent and multiple helpers stage to kidnap me.

In March 2024 The CPD had officials and ATF agent attempted to kidnap. In March 2024 a silver Nissan, black Nissan and dark blue Saab pulls on to my mother's property at high speed. The dark blue Saab (ATF agent) comes in fast with his trunk open and gets out of his vehicle and begins walking towards me with one hand in his pocket and the other arm reaching for me As I begin to back up, the black Nissan starts closing in on me. The silver Nissan goes out the other side of the

parking lot and yells out, "Y'all going to jail for aggravated robbery." I then pull out my phone and tell the undercover agent to get back. After pulling my phone out, the man charged his motto and began asking for help.

28 U.S.C. 4101. The term defamation means any action or other proceeding for defamation libel, slander or similar claim alleging that forms of speech are false have caused damage to reputation or emotional.

The CPD continually violated 28 U.S.C. 4101.

In March 2022, The Cincinnati Police Department went to my former employer [Eatondale] and alleged that I was dealing drugs on Eatondale site. CPD also alleged that I had prevented CPD officials from coming onto Eatondale site and had gone to T.A (Internal Affairs) regarding their wrongdoing. After telling Eatondale those things, CPD began questioning Eatondale of my employment history and suggest that Eatondale should take a look into my criminal background. After continually speaking bad of me, former supervisor Marica Ward got up and left their meeting. After Ms. Ward left meeting, CPD officials alleged to Eatondale that Mr Ward and I were in conspiracy.

Later on the CPD began working with Eatondale